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HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. (S) No. 6652 of 2006

Petitioner		Ram Kumar Chandrawanshi, S/o Shri Prem Lal Chjandrawanshi, Agc about 33 years, Asstt. Teacher, Govt. Primary School, Nadiyakhurd, Block- Chhuriya, Distt. Rajnandgaon (C.G.)
	Versus	
Respondents	1.	State Govt. of Chhattisgarh, Through: Secretary, School Education Department, Mantralaya at D.K.S. Bhavan, Raipur (C.G.)
	2.	District Education Officer, Rajnandgaon (C.G.)
	3.	Block Education Officer, Block-Chhuriya, Distt. Rajnandgaon (C.G.)

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri**.

Shri Rakesh Anthony, *Advocate for the Petitioner.*

Smt. Anju Ahuja, Deputy Govt. Advocate for the State/respondents.

ORDER

(Passed on this 16th day of March, 2007)

1. The petitioner is working as Assistant Teacher in the government school. In the course of his service as Assistant Teacher, the petitioner has obtained D.Ed. certificates on his own expenses before 1.3.1999.
2. Learned counsel for the petitioner submits that the 'Basic Training Institute' (B.T.I.) certificate has been renamed by the order of the State Government as 'Diploma in Education' (D.Ed.) certificate. The petitioner, who has obtained D.Ed. certificate prior to 1.3.1999 is entitled to the same relief as is granted to the candidates who had obtained B.T.I./B.Ed. certificates on their own expenses as per the circulars dated 24.12.1998 and 1.3.1999.
3. According to learned counsel for the petitioner, the petitioner is entitled to two advance increments in view of the decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another {2006 (II) MPJR-CG 96} and the

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order dated 12.12.2006 passed in W. P. (s) No. 6863 of 2006 (Kshamanidhi Patel Vs. State of Chhattisgarh & another.

4. This Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), came to the conclusion that the teachers, who had obtained B. Ed. /B.T.I. Certificate on their own expenses, are covered by the circular dated 24.12.98 (Annexure P/7) issued by the State Government of Madhya Pradesh.

5. Learned counsel for the petitioner further submits that the facts and question of law involved in the present case are squarely covered by decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), to which learned counsel appearing for the respondents fairly concedes and agrees with the averment made by learned counsel appearing for the petitioner.

6. Accordingly, in the event D.Ed. certificate holders are equal to B.T.I./B.Ed. certificate holders, the petitioner is entitled to the same relief in terms of the orders passed in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), subject to verification of the fact as to whether the petitioner has acquired D.Ed. Certificate on his own expenses as per the circulars dated 24.12.1998 & 1.3.1999 and further whether he has been paid two advance increments or not. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Thakur